

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

TYRONE CARMICHAEL,

Plaintiff,

9:05-CV-1189
(TJM)(DEP)

v.

GEORGE PEREZ,

Defendant.

APPEARANCES:

TYRONE CARMICHAEL
Plaintiff, *pro se*

THOMAS J. McAVOY, SENIOR DISTRICT JUDGE

DECISION and ORDER

By Order of Magistrate Judge David E. Peebles filed September 20, 2005, plaintiff Tyrone Carmichael was directed to either pay the statutory filing fee or submit a completed authorization form reflecting the current filing fee of \$250.00, if he wished to proceed with this action. Dkt. No. 4 (the "September Order"). Plaintiff was afforded thirty (30) days in which to make the required submission, and was specifically advised that his failure to timely comply with the September Order might result in the dismissal of this action. *Id.* In a subsequent Order filed October 18, 2005, Magistrate Judge Peebles again directed plaintiff to comply with the September Order. Dkt. No. 5.

Although more than two months have elapsed since the September Order, plaintiff has not made the required submission.

In light of the above, this action is hereby dismissed.

WHEREFORE, it is hereby

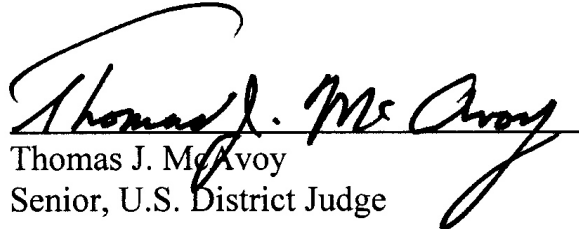
ORDERED, that this action is dismissed due to plaintiff's failure to either pay the

filing fee or submit a completed inmate authorization form for the current filing fee of \$250.00, as directed by the September Order, and it is further

ORDERED, that the Clerk serve a copy of this Order on plaintiff.

IT IS SO ORDERED.

Dated: November 30, 2005


Thomas J. McAvoy
Senior, U.S. District Judge